



The Times-Picayune

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Federal Communications Commission
Office of the Secretary

The Honorable Donna R. Searcy
Secretary
Federal Communications Commission
1919 M. Street, NW
Washington, DC 20554

Reference: CC Docket No. 92-90

Dear Ms. Searcy:

The Times-Picayune is a morning newspaper serving metropolitan New Orleans, circulation about 270,000 copies daily, most of them in seven parishes, or counties, comprising the the New Orleans MSA.

Ours is an area battered by an eight-year slump in the energy industry, and more recently by a national recession. Our customers, beleaguered economically, are increasingly busy both at work and at play. They are more demanding in what they expect of us and less tolerant of inefficient service. We know that. And the last thing we need to do in this climate is alienate customers with intrusive telephone campaigns that produce ill will instead of new business.

Currently the agency is considering a number of limitations on telephone solicitations. Their collective goal, properly, is to protect consumers from harassment, protect their privacy and afford them some sense of control over the kinds of solicitations they might not want to receive.

We understand the sensitivities involved here, and we've integrated a concern for customers into the rather extensive telemarketing effort we routinely employ.

In fact, telemarketing -- done well -- is a critically important tool in our industry. Changing lifestyles, particularly the emergence of two-income families, means that people are rarely at home to receive a personal solicitation for a product. And parents' concerns bout safety long ago eroded the corps of young men and women who routinely canvassed neighborhoods for new customers.

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THURSDAY

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That means we reach them by telephone today. In our case we collect about 800 new subscriptions a week over the telephone.

But we do it with sensitivity and common sense. We have no use for so-called "demon-dialers" that crunch through numbers making useless calls to hospitals, corporate offices and other institutions. Instead, we are developing a local database of non-subscribing individuals, the better to fine-tune our efforts.

My extended point here has been to demonstrate that many companies that depend on telemarketing work hard to make it as friendly to customers as possible. That's what makes it effective for us.

It's against that background that I would urge against adopting one proposed rule: the creation of a national database of numbers not to be called in any telemarketing campaign.

At first blush it might not seem reasonable. People, after all, ought to be able to say they don't want to be bothered. We agree. That's why we maintain our own company-sponsored list of numbers of people who no longer wish to be called. How do they get on it? Simply by asking that we no longer call.

But a national data-base would be another thing entirely: crude and unwieldy, a massive response that produces as many difficulties as it solves.

Consider, for example, that we are a mobile society. In our community thousands of people move every year, leaving their old telephone numbers behind. It seems reasonable to expect that a national data base would be difficult to impossible to keep adequately updated. It would certainly accrete new "blackened-out" telephone numbers daily. But as those citizens moved away they would leave behind their blacked-out numbers -- now assigned to potential new customers -- who nonetheless cannot be approached behind the walls of the national database.

Moreover, a national database cannot differentiate between the customer who does not want to be solicited by anybody, for anything, as opposed to the customer who no longer wants to be harassed by home improvement salesmen, but who might be amenable to purchasing a subscription to a newspaper.

No, the national database is too crude. It protects customers who don't wish to be bothered, but it also isolates

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others -- and over time many, many more -- who are not among those seeking protection.

Telemarketing is a powerful tool. But our point is that when abused, it damages us as well as our customers. That's why self-policing works for us, and why we think a national database ultimately would do more harm than good.

Thank you for your time and attention to this. I invite any questions you may have for elaboration or more information.

Most sincerely



Ashton Phelps, Jr.

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